

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

JENNIFER MAITRE, Individually  
and as Mother, Guardian and Next Friend  
of CHRISTIAN FRANCIS MAITRE, a Minor

Plaintiffs,

v.

ELI LILLY AND COMPANY,

Defendant.

Civil Action No. 05-CV-10442 (JLT)

**AFFIDAVIT OF AARON M. LEVINE, ESQ.**  
**REGARDING AUTHENTICATION OF DOCUMENTS**

I, Aaron M. Levine, declare under penalty of perjury that the following is true and correct:

1. Attached as Appendix 1 is a true copy of Gerard S. Letterie, Structural Abnormalities and Reproductive Failure 177-191 (1998).
2. Attached as Appendix 2 is a true copy of the booklet Were You Born Between 1938 and 1971 or Pregnant Then? If so, You Could Be Exposed to DES from the National Cancer Institute and the National Institute of Child Health and Human Development dated January 1995.
3. Attached as Appendix 3 is a true copy of Robert K. Enders & William L. Merritts, Mink Production in Relation to Stilbestrol, 16:7 The Fur Journal 4 (1950).
4. Attached as Appendix 4 is a true copy of R. R. Greene, M. W. Burrill & A. C. Ivy, Experimental Intersexuality: the Paradoxical Effects of Estrogens on the Sexual Development of the Female Rat, 74 The Anatomical Record 4 (1939).

5. Attached as Appendix 5 is a true copy of selected pages from W.J. Dieckmann et al., Does the Administration of Diethylstilbestrol During Pregnancy Have Therapeutic Value?, 66 Amer. J. of Ob. and Gyn. 1062, 1074 (1953).

6. Attached as Appendix 6 is a true copy of Gordon Rosenblum & Eugene Melinkoff, Preservation of the Threatened Pregnancy with Particular Reference to the Use of Diethylstilbestrol, 55 West J. Sur. Obst. & Gyn. 597 (1947).

7. Attached as Appendix 7 is a true copy of Alfred M. Bongiovanni et al., Masculinization of the Female Infant Associated with Estrogenic Therapy Alone During Gestation: Four Cases, 19 J. Clin. Endo. & Metab. 1004 (1959).

8. Attached as Appendix 8 is a true list of 57 articles relating to the injurious effects of synthetic estrogens on the female reproductive tract.

9. Attached as Appendix 9 is a true copy of Chen, K.K., The New Synthetic Estrogen, Stilbestrol, Quarterly Bulletin Indiana University Medical Center 15 (1941).

10. Attached as Appendix 10 is a true copy of the Statement of Harris Busch, M.D., Ph.D. dated June 29, 1999.

11. Attached as Appendix 11 is a true copy of the Statement of Richard Falk, M.D., dated August 27, 2004.

12. Attached as Appendix 12 is a true copy of the Report of David F. Hagen, M.D. dated September 29, 2003.

13. Attached as Appendix 13 is a true copy of the Report of Yuval Shafrir, M.D., dated April 6, 2006.

14. Attached as Appendix 14 is a true copy of the Report of Merle J. Berger, M.D. dated October 7, 2004.

15. Attached as Appendix 15 is a true copy of the Memorandum Opinion and Order denying Summary Judgment issued in E.R. Squibb & Sons, Inc. v. Lloyd's & Cos., 241 F.3d 154 (2d Cir. 2001).

16. Attached as Appendix 16 is a true copy of the Memorandum Opinion of Order issued in McMahon v. Eli Lilly & Co., 774 F.2d 830, 835-36 (7th Cir. 1985)

17. Attached as Appendix 17 is a true copy of selected pages from Marcia Angell, The Truth About Drug Companies: How They Deceive Us and What to do About It (2004).

18. Attached as Appendix 18 is a true copy of the Memorandum Opinion and Order issued in DeMayo v. Schmitt, 5 Pa. D. & C.4th 197, 200 (Pa. Commw. Ct. 1989).

19. Attached as Appendix 19 is a true copy of the Memorandum Opinion and Order issued in Taylor v. Cutler, 703 A.2d 294 (N.J. Super. Ct. App. Div. 1997).

20. Attached as Appendix 20 is a true copy of the Bench Order issued in Sorrells v. Eli Lilly & Co., No. 60386 (MD. Cir. Ct. Mont. County 1990), dated Nov. 14, 1991.

21. Attached as Appendix 21 is a true copy of the Memorandum Opinion and Order issued in Murchison v. Eli Lilly & Co., No. H-88-927 at 8 (S.D. Tex 1990)

I declare under the penalty of perjury that the foregoing is true and correct.

/s/ Aaron M. Levine

Aaron M. Levine

Dated: July 28, 2006